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FAX NUMBER: 703-872-9306
DATE / TIME: November 3, 2004
FROM: David L. Conn
DIRECT DIAL: (613) 237-5160
OUR FAX NUMBER: (613) 787-3558

RE: United States Patent Appln No. 10/630,806
Title: AGROCHEMICAL FORMULATION AID COMPOSITION AND
USES THEREOF
Inventor(s): STEWART, James F.; BROWN, William G.
Our File: PAT 537AW-2 US

NUMBER OF PAGES, INCLUDING THIS PAGE: 15
CONFIRMATION TO FOLLOW: NONE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: STEWART, James F.; BROWN, William G.
Serial No.: 10/630,806
Filed: July 31, 2003
Title: AGROCHEMICAL FORMULATION AID COMPOSITION AND USES
THEREOF
Group: 1616
Examiner:
Attorney Ref.: PAT 537AW-2 US

November 3, 2004

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Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449, attached hereto.

II. COPIES**(check at least one box)**

- ☐ a. Submitted herewith is a legible copy of (i) each U.S. and foreign patent and application; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- ☒ b. As this application was filed after June 30, 2003, no U.S. patent or published application copies are enclosed. Where applicable, submitted herewith is a legible copy of (i) each foreign patent or application; (ii) each publication or that portion which caused it to be

listed; and (iii) all other information or that portion which caused it to be listed.

- ☐ c. Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

- ☒ a. DOCUMENTS IN THE ENGLISH LANGUAGE
The attached patents, publications, or other information in the English language do not require a statement of relevancy.
- ☐ b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE
A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:
- ☐ c. ENGLISH LANGUAGE SEARCH REPORT
An English language version of the search report or action that indicates the degree of relevance found by the foreign Patent Office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A) (3).
- ☐ d. OTHER
The following additional information is provided for the Examiner's consideration.

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97 (b):
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- ☐ a. Within three months of the filing date of a national application (37 C.F.R. § 1.97 (b) (1)). No fee or statement is required. (This section is not to be used with RCE's AND CPA's.)
- ☐ b. Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97 (b) (2)). No fee or statement is required.

- ☐ c. Concurrently with the filing of a Continued Prosecution Application under 37 C.F.R. § 1.53 (d) or concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97 (b) (4)). No fee or statement is required.
- ☐ d. Before the mailing date of a first Action on the merits (37 C.F.R. § 1.97 (b) (3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97 (e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17 (p).

**V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97 (c):
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- ☐ a. No statement; therefore, a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17 (p).
- ☒ b. See the statement below. No fee is required.

**VI. STATEMENT UNDER 37 C.F.R. § 1.97 (e)
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- ☐ a. Each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- ☒ b. No item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of the IDS.

The items were cited during the prosecution of parent Application No. 10/415,294 in an Office Action dated September 22, 2004.

- ☐ c. Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in the 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this statement.

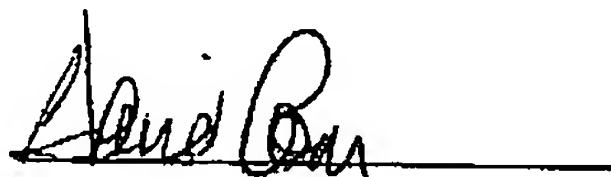
VII. PAYMENT OF FEES
(check one box)

- ☐ Please charge Deposit Account No. 501593 in the amount required by 37 C.F.R. § 1.17 (p) for the above-indicated fee. A duplicate copy of this paper is attached.
- ☒ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 501593.

If the preceding amount is incorrect, any deficiency or overpayment should also be charged or credited to Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.

Respectfully submitted,
James F. STEWART et al.



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DLC/AAB/aab
Encs.

☒ PTO-1449

☒ Office Action Dated September 22, 2004

Form PTO-1449 SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT				Complete if Known	
				Application No.:	10/630,806
				Filing Date:	July 31, 2003
				First Named Inventor:	James F. STEWART et al.
				Group Art Unit:	1616
Examiner Name:					
Sheet	1	of	1	Attorney Docket No.:	PAT 537AW-2

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document No.	Date of Publication mm-dd- yyyy	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		4,368,207	01/11/1983	Lover et al.	
		5,783,202	07/21/1998	Tomlinson et al.	

FOREIGN PATENT DOCUMENTS

Examine r Initials	Cite No.	Patent Document No.	Date of Publication mm-dd- yyyy	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ✓	Check if English Translation Is

OTHER DOCUMENTS

Examiner Signature:	Date Considered:
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.	

JTOB Rec'd PCT/PTO 28 APR 2003

Form FTO-1449		Complete if known	
Information Disclosure Statement By Applicant (use as many sheets as necessary)		Application No:	10/415294
		Filing Date:	
		First Named Inventor:	James F. STEWART, et al.
		Group Art Unit:	1616
		Examiner Name:	CLAR DY
Sheet 1	of 1	Attorney Docket No.:	PAT 537W-2

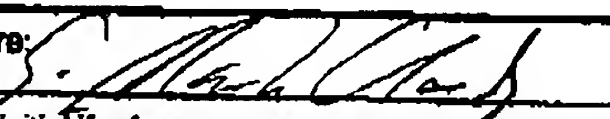
U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document No.	Date of Publication MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
San		US 5,849,264	12/15/1998	Dean Bassam, et al.	Whole Document

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Patent Document No.	Date of Publication MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T	Check if English Translation is attached
San		EP 0617894	10/05/1994	Monsanto Europe S.A.	Whole Document		
San		EP 0057035	08/04/1982	Shell Internationale Research Maatschappij B.V.	Whole Document		
San		GB 1576228	10/01/1980	Akzo N.V.	Whole Document		

OTHER DOCUMENTS

Examiner Signature: 	Date Considered: 9/15/2004
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.	

Notice of References Cited

Application/Control No.

10/415,294

Applicant(s)/Patent Under
Reexamination
STEWART ET AL.

Examiner

S. Mark Clardy

Art Unit

1616

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-4,368,207	01-1983	Lover et al.	514/724
	B	US-5,783,202	07-1998	Tomlinson et al.	424/405
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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	Q					
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NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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A copy of this reference is not being furnished with this Office action (See MPEP § 707.05(a).)
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Patent and Trademark Office
 TPO-892 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 20040917